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PATENT APPLICATION

IN THE U.S. PATENT AND TRADEMARK OFFICE

April 28, 2005

Applicant(s): Daniel G. ZWIER  
For: CHANGE OF GRADE CONNECTOR

Serial No.: 10/627 283                      Group: 3644  
Confirmation No.: 4251  
Filed: July 25, 2003                      Examiner: Alimenti  
International Application No.: N/A  
International Filing Date: N/A  
Atty. Docket No.: Permaloc 4

Mail Stop Issue Fee  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

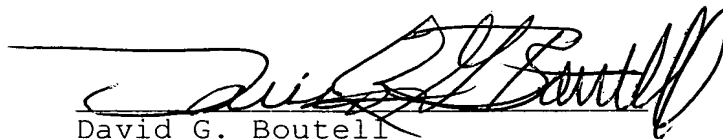
COMMENTS ON STATEMENT OF REASONS FOR ALLOWANCE

Sir:

In the Statement of Reasons for Allowance, the Examiner has indicated that "the prior art made of record does not disclose, alone or in combination, a planar lawn edging change of grade connector comprising a channel or receiver for operably engaging on [sic] of a first or second landscaping strip, a fastener assembly comprising a pivot axis, and wherein the channel defines a longitudinal axis." This statement improperly combines the elements of the two allowed independent claims, and Applicant asserts that the claims are allowable based on the elements actually found in the claims and a proper construction thereof. Independent Claim 1 does not include a "channel" element, and also does not include a longitudinal axis defined by the channel. Independent Claim 14 does not include the limitation "planar" as applied to the change of grade connector, nor does Claim 14 define a

longitudinal axis by either of the two channels included in this claim.

Respectfully submitted,



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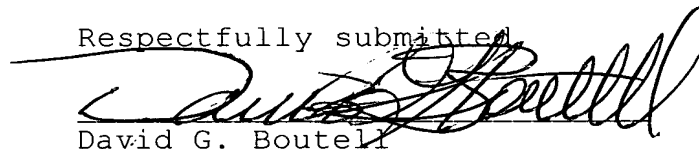
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CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on May 3, 2005.

Respectfully submitted,



David G. Boutell

175.03/05